

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

IN RE: BROILER CHICKEN GROWER
ANTITRUST LITIGATION (NO. II)

This document relates to all actions.

Case No. 6:20-MD-02977-RJS-CMR

Chief Judge Robert J. Shelby

Magistrate Judge Cecilia M. Romero

**JOINT MOTION FOR ENTRY OF
REVISED CASE SCHEDULE AS
MDL PRETRIAL ORDER NO. 4**

Plaintiffs¹ and Defendants² (the “Parties”) have met and conferred and submit a proposed, agreed upon amended scheduling order governing this MDL. The proposed MDL Pretrial Order No. 4 is attached as Exhibit 1.

The Parties respectfully submit that the proposed schedule extension is necessary and appropriate for the following reasons:

1. As previewed in the Parties’ Joint Status Report, ECF No. 212 at 4-6, reasons beyond the Parties’ control have frustrated the scheduling of depositions. The extension will allow the Parties the time necessary to develop their claims and defenses.
2. As the Parties indicated, the Parties have resolved their dispute about the scope of so-called “downstream” discovery. In connection with that agreement, Plaintiffs will need adequate time to review and analyze these materials from the downstream litigation. Further, many of the materials in question cannot be produced to Plaintiffs until Plaintiffs either (a) obtain consent from dozens of non-parties whose materials are cited in or relied upon in those materials or (b) obtain a Court order compelling production of those materials. Plaintiffs will

¹ “Plaintiffs” refers to Haff Poultry, Inc., Nancy Butler, Johnny Upchurch, Jonathan Walters, Myles Weaver, Melissa Weaver, Marc McEntire, Karen McEntire, Anna Mason, and Mitchell Mason, on behalf of themselves and all others similarly situated.

² “Defendants” refers to Pilgrim’s Pride Corporation (“Pilgrim’s”); Sanderson Farms, Inc., Sanderson Farms, Inc. (Foods Division), Sanderson Farms, Inc. (Processing Division), and Sanderson Farms, Inc. (Production Division) (“Sanderson”); and Koch Foods, Inc. and Koch Meat Co., Inc. (doing business as Koch Poultry Co.) (“Koch”).

need adequate time not just to analyze and review these materials, but also to obtain them either through negotiated resolutions with these non-parties or through motion practice.

Dated: November 4, 2021

Respectfully submitted,

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